

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SCOTT ALAN FREEBURG,

Petitioner,

v.

DONALD HOLBROOK,

Respondent.

Case No. C12-376-JLR-BAT

**ORDER STAYING AND ABEYING  
FEDERAL HABEAS  
PROCEEDINGS**

The Court, having reviewed respondent's unopposed motion to stay and abey the 28 U.S.C. § 2254 habeas petition, and the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, finds and Orders as follows:

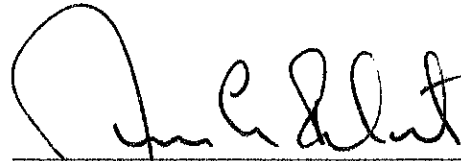
1. The Report and Recommendation is **ADOPTED**;
2. Respondent's motion to stay (Dkt. 14) is **GRANTED**;
3. This matter is hereby **STAYED** until 30 days after the certificate of finality is filed in the pending state-court, post-conviction proceeding;
4. The parties shall each file a report advising Magistrate Judge Tsuchida of the state-court, post-conviction proceeding **every 120 days**, beginning 120 days after the date of this Order;
5. All pending deadlines are **STRICKEN** and respondent's Answer shall be filed

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1 within 45 days after the stay is lifted; and

2 6. The Clerk is directed to send a copy of this Order to petitioner and to Magistrate  
3 Judge Tsuchida.

4 DATED this 19<sup>th</sup> day of July, 2012.



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6 JAMES L. ROBART  
7 United States District Judge  
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